

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation
Against:

Terrence Parr, M.D.

Physician's and Surgeon's
Certificate No. G 42348

Respondent

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) File No. 02-2001-118149
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DECISION

The attached **Stipulated Settlement and Disciplinary Order** is hereby adopted as the Decision and Order of the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on December 15, 2003

IT IS SO ORDERED November 13, 2003

MEDICAL BOARD OF CALIFORNIA

By: 

Ronald Wender, M.D.,

Chair

Panel B

Division of Medical Quality

1 BILL LOCKYER, Attorney General
2 of the State of California
3 STEPHEN M. BOREMAN, State Bar No. 161498
4 Deputy Attorney General
5 California Department of Justice
6 1300 I Street, Suite 125
7 P.O. Box 944255
8 Sacramento, CA 94244-2550
9 Telephone: (916) 445-8383
10 Facsimile: (916) 327-2247

11 Attorneys for Complainant

12 **BEFORE THE**
13 **DIVISION OF MEDICAL QUALITY**
14 **MEDICAL BOARD OF CALIFORNIA**
15 **DEPARTMENT OF CONSUMER AFFAIRS**
16 **STATE OF CALIFORNIA**

17 In the Matter of the Accusation Against:

18 TERENCE J. PARR, M.D.
19 P.O. Box 93
20 Hendricks, MN 56136

21 Physician and Surgeon's Certificate No. G 42348

22 Respondent.

Case No. 02-2001-118149

OAH No.

23 **STIPULATED SETTLEMENT AND**
24 **DISCIPLINARY ORDER**

25 PARTIES

26 1. Ron Joseph (Complainant) is the Executive Director of the Medical Board
27 of California. He brought this action solely in his official capacity and is represented in this
28 matter by Bill Lockyer, Attorney General of the State of California, by Stephen M. Boreman,
Deputy Attorney General.

2. Respondent Terence J. Parr, M.D. (Respondent) is represented in this
proceeding by attorney Robert J. Sullivan, Esq., whose address is Nossaman, Guthner, Knox &
Elliott, LLP, 915 L Street, Suite 1000, Sacramento, CA 95814-3701.

3. On or about July 1, 1980, the Medical Board of California issued
Physician and Surgeon's Certificate No. G 42348 to Terence J. Parr, M.D. (Respondent). The
Certificate was in full force and effect at all times relevant to the charges brought in Accusation
No. 02-2001-118149 and will expire on November 30, 2003, unless renewed.

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1 6. CONTINUING MEDICAL EDUCATION Within 30 days of the
2 effective date of this decision, subject to the prior approval of the Division, Respondent will
3 enroll in Continuing Medical Education courses related to establishing and maintaining
4 appropriate doctor/patient relationships.

5 7. PROHIBITED PRACTICE Respondent shall not perform fascial sling
6 surgery unless he uses a Cytoscope.

7 STANDARD CONDITIONS

8 8. OBEY ALL LAWS Respondent shall obey all federal, state and local
9 laws, all rules governing the practice of medicine in California, and remain in full compliance
10 with any court ordered criminal probation, payments and other orders.

11 9. QUARTERLY REPORTS Respondent shall submit quarterly
12 declarations under penalty of perjury on forms provided by the Division, stating whether there
13 has been compliance with all the conditions of probation.

14 10. PROBATION SURVEILLANCE PROGRAM COMPLIANCE
15 Respondent shall comply with the Division's probation surveillance program. Respondent shall,
16 at all times, keep the Division informed of his business and residence addresses which shall both
17 serve as addresses of record. Changes of such addresses shall be immediately communicated in
18 writing to the Division. Under no circumstances shall a post office box serve as an address of
19 record, except as allowed by Business and Professions Code section 2021(b).

20 Respondent shall, at all times, maintain a current and renewed physician's and
21 surgeon's license.

22 Respondent shall also immediately inform the Division, in writing, of any travel
23 to any areas outside the jurisdiction of California which lasts, or is contemplated to last, more
24 than thirty (30) days.

25 11. INTERVIEW WITH THE DIVISION, ITS DESIGNEE OR ITS
26 DESIGNATED PHYSICIAN(S) Respondent shall appear in person for interviews with the
27 Division, its designee or its designated physician(s) upon request at various intervals and with
28 reasonable notice.

1 12. TOLLING FOR OUT-OF-STATE PRACTICE, RESIDENCE OR IN-
2 STATE NON-PRACTICE In the event respondent should leave the State of California to reside
3 or to practice, respondent shall notify the Division or its designee in writing within thirty (30)
4 calendar days prior to the dates of departure and return. Non-practice is defined as any period of
5 time exceeding thirty (30) calendar days in which respondent is not engaging in any activities
6 defined in Sections 2051 and 2052 of the Business and Professions Code.

7 All time spent in an intensive training program outside the State of California
8 which has been approved by the Division or its designee shall be considered as time spent in the
9 practice of medicine within the State. A Board-ordered suspension of practice shall not be
10 considered as a period of non-practice. Periods of temporary or permanent residence or practice
11 outside California will not apply to the reduction of the probationary term. Periods of temporary
12 or permanent residence or practice outside California will relieve respondent of the responsibility
13 to comply with the probationary terms and conditions with the exception of this condition and
14 the following terms and conditions of probation: Obey All Law; Probation Unit Compliance;
15 and Cost Recovery.

16 If respondent's periods of temporary or permanent residence or practice outside
17 California total two years, respondent's license shall be automatically canceled. However,
18 respondent's license shall not be canceled as long as respondent is residing and practicing
19 medicine in another state of the United States and is on active probation with the medical
20 licensing authority of that state, in which case the two year period shall begin on the date
21 probation is completed or terminated in that state.

22 Any respondent disciplined under Business and Professions Code section 141(a)
23 or 2305 (another state discipline) may petition for modification or termination of penalty: 1) if
24 the other state's discipline terms are modified, terminated or reduced; and 2) if at least one year
25 has elapsed from the effective date of the California discipline.

26 13. COMPLETION OF PROBATION Upon successful completion of
27 probation, respondent's certificate shall be fully restored.

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1 14. VIOLATION OF PROBATION If respondent violates probation in any
2 respect, the Division, after giving respondent notice and the opportunity to be heard, may revoke
3 probation and carry out the disciplinary order that was stayed. If an accusation or petition to
4 revoke probation is filed against respondent during probation, the Division shall have continuing
5 jurisdiction until the matter is final, and the period of probation shall be extended until the matter
6 is final.

7 15. COST RECOVERY The respondent is hereby ordered to reimburse the
8 Division the amount of \$2464 within ninety (90) days of the effective date of this decision for its
9 investigative and prosecution costs. Failure to reimburse the Division's cost of investigation and
10 prosecution shall constitute a violation of the probation order, unless the Division agrees in
11 writing to payment by an installment plan because of financial hardship. The filing of
12 bankruptcy by the respondent shall not relieve the respondent of his responsibility to reimburse
13 the Division for its investigative and prosecution costs.

14 16. PROBATION COSTS Respondent shall pay the costs associated with
15 probation monitoring each and every year of probation, as designated by the Division, which are
16 currently set at \$2488, but may be adjusted on an annual basis. Such costs shall be payable to the
17 Division of Medical Quality and delivered to the designated probation surveillance monitor no
18 later than January 31 of each calendar year. Failure to pay costs within 30 days of the due date
19 shall constitute a violation of probation.

20 17. LICENSE SURRENDER Following the effective date of this decision, if
21 respondent ceases practicing due to retirement, health reasons or is otherwise unable to satisfy
22 the terms and conditions of probation, respondent may voluntarily tender his certificate to the
23 Board. The Division reserves the right to evaluate the respondent's request and to exercise its
24 discretion whether to grant the request, or to take any other action deemed appropriate and
25 reasonable under the circumstances. Upon formal acceptance of the tendered license, respondent
26 will not longer be subject to the terms and conditions of probation.

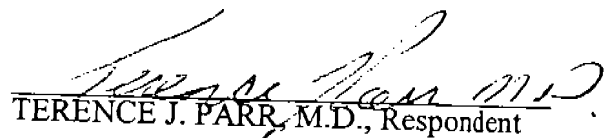
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1 ACCEPTANCE

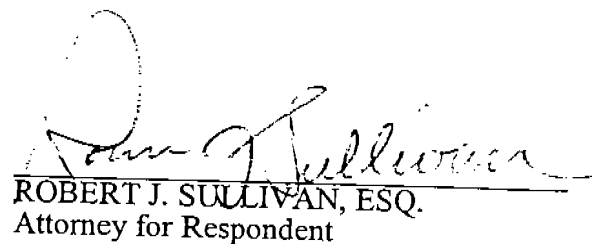
2 I have carefully read the above Stipulated Settlement and Disciplinary Order and
3 have fully discussed it with my attorney, Robert J. Sullivan, Esq.. I understand the stipulation
4 and the effect it will have on my Physician and Surgeon's Certificate. I enter into this Stipulated
5 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be
6 bound by the Decision and Order of the Division of Medical Quality, Medical Board of
7 California.

8 DATED: 5/5/03

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10 
11 TERENCE J. PARR, M.D., Respondent

12 I have read and fully discussed with Respondent Terence J. Parr, M.D. the terms
13 and conditions and other matters contained in the above Stipulated Settlement and Disciplinary
14 Order. I approve as to its form.

15 DATED: 10-16-2003

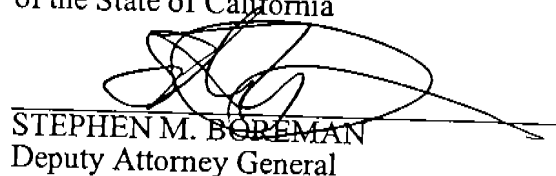
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18 ROBERT J. SULLIVAN, ESQ.
19 Attorney for Respondent

20 ENDORSEMENT

21 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
22 submitted for consideration by the Division of Medical Quality, Medical Board of California of
23 the Department of Consumer Affairs.

24 DATED: 10-17-03

25 BILL LOCKYER, Attorney General
26 of the State of California

27 
28 STEPHEN M. BOREMAN
Deputy Attorney General

Attorneys for Complainant

Exhibit A

Accusation No. 02-2001-118149

BILL LOCKYER, Attorney General
of the State of California
STEPHEN M. BOREMAN, State Bar No. 161498
Deputy Attorney General
California Department of Justice
1300 I Street, Suite 125
P.O. Box 944255
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Attorneys for Complainant

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 02-2001-118149

TERENCE J. PARR, M.D.
P.O. Box 246
Cedarville, CA 96104-0246

ACCUSATION

Physician and Surgeon's Certificate No. G 42348

Respondent.

Complainant alleges:

PARTIES

1. Ron Joseph (Complainant) brings this Accusation solely in his official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs.

2. On or about July 1, 1980, the Medical Board of California issued Physician and Surgeon's Certificate Number G 42348 to Terence J. Parr, M.D. (Respondent). The Physician and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on November 30, 2003, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Division of Medical Quality (Division) for the Medical Board of California, Department of Consumer Affairs under the authority of the below mentioned statutes and regulations.¹

4. Section 2227 of the Code provides that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Division deems proper.

5. Section 125.3 of the Code provides, in pertinent part, that the Division may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

6. Section 14124.12 of the Welfare and Institutions Code states, in pertinent part:

"(a) Upon receipt of written notice from the Medical Board of California, the Osteopathic Medical Board of California, or the Board of Dental Examiners of California, that a licensee's license has been placed on probation as a result of a disciplinary action, the department may not reimburse any Medi-Cal claim for the type of surgical service or invasive procedure that gave rise to the probation, including any dental surgery or invasive procedure, that was performed by the licensee on or after the effective date of probation and until the termination of all probationary terms and conditions or until the probationary period has ended, whichever occurs first. This section shall apply except in any case in which the relevant licensing board determines that compelling circumstances warrant the continued reimbursement during the probationary period of any Medi-Cal claim, including any claim for dental services, as so described. In such a case, the

1. All statutory references are to the Business and Professions Code (Code) unless otherwise indicated.

1 department shall continue to reimburse the licensee for all procedures, except for those
2 invasive or surgical procedures for which the licensee was placed on probation."

3 7. Section 2305 of the Code states:

4 "The revocation, suspension, or other discipline, restriction or limitation imposed
5 by another state upon a license or certificate to practice medicine issued by that state, or
6 the revocation, suspension, or restriction of the authority to practice medicine by any
7 agency of the federal government, that would have been grounds for discipline in
8 California of a licensee under this chapter [Chapter 5, the Medical Practice Act] shall
9 constitute grounds for disciplinary action for unprofessional conduct against the licensee
10 in this state."

11 8. Section 141 of the Code states:

12 "(a) For any licensee holding a license issued by a board under the jurisdiction of
13 the department, a disciplinary action taken by another state, by any agency of the federal
14 government, or by another country for any act substantially related to the practice
15 regulated by the California license, may be a ground for disciplinary action by the
16 respective state licensing board. A certified copy of the record of the disciplinary action
17 taken against the licensee by another state, an agency of the federal government, or
18 another country shall be conclusive evidence of the events related therein.

19 "(b) Nothing in this section shall preclude a board from applying a specific
20 statutory provision in the licensing act administered by that board that provides for
21 discipline based upon a disciplinary action taken against the licensee by another state, an
22 agency of the federal government, or another country."

23 9. Section 726 of the Code states:

24 "The commission of any act of sexual abuse, misconduct, or relations with a
25 patient, client, or customer constitutes unprofessional conduct and grounds for
26 disciplinary action for any person licensed under this division, under any initiative act
27 referred to in this division and under Chapter 17 (commencing with Section 9000) of
28 Division 3.

1 "This section shall not apply to sexual contact between a physician and surgeon
2 and his or her spouse or person in an equivalent domestic relationship when that
3 physician and surgeon provides medical treatment, other than psychotherapeutic
4 treatment, to his or her spouse or person in an equivalent domestic relationship."

5 FIRST CAUSE FOR DISCIPLINE
6 (Out-of-State Disciplinary Action)
[Bus. & Prof. Code Section 141(a)]

7 10. Respondent is subject to disciplinary action within the meaning of Code
8 section 141 (a). The circumstances are as follows:

9 11. On or about July 9, 2002, Respondent agreed to a Stipulated Order with
10 the Board of Medical Examiners for the State of Oregon. The Stipulated Order was in response
11 to charges resulting from an investigation by the Oregon Board of Medical Examiners which
12 found that Respondent 1. had engaged in sexual relations with female patient "A" between the
13 years 1996 and 2000, and that 2. Respondent conducted a fascial sling surgical procedure on an
14 eighty-year-old female patient (patient "B") without the use of a cystoscope, and which resulted in
15 post-surgical complications requiring subsequent surgical repair. Respondent stipulated that he
16 had engaged in the referenced conduct relative to patients "A" and "B", and that his conduct was
17 1. unprofessional conduct; and 2. gross or repeated negligence, within the meaning of Oregon
18 statutes. Under the Stipulated Order Respondent was reprimanded and his Oregon medical
19 license placed on ten (10) years' probation, with terms and conditions including:

20 a. Respondent will affiliate with, participate in, and maintain compliance
21 with the recommendations of a recovery program under the auspices of the Oregon Health
22 Professionals Program pursuant to Oregon statute ORS 677.615, and shall sign and maintain in
23 full force and effect the program's terms of participation and consent to full disclosure of alcohol
24 and drug treatment records between the (Oregon) Board and the Health Professionals Program
25 for the duration of the order.

26 b. Respondent shall report in person to the (Oregon) Board at each of its
27 regularly scheduled quarterly meetings at the scheduled times for a probationer interview unless
28 ordered to do otherwise by the Board.

1 c. Respondent shall not perform fascial sling surgery unless he uses a
2 Cytoscope.

3 d. Respondent will not examine, evaluate, or treat female patients
4 eighteen years or older without the presence of a medically trained chaperone.

5 e. Respondent will enroll in Continuing Medical Education courses
6 related to establishing and maintaining appropriate doctor/patient relationships, as approved by
7 the Board's Medical Director.

8 SECOND CAUSE FOR DISCIPLINE
9 (Revocation or Suspension by Another State)
[Bus. & Prof. Code Section 2305]

10 12. Complainant re-alleges paragraph 11, above, and incorporates it herein by
11 reference as if fully set forth at this point.

12 13. Respondent is subject to discipline within the meaning of Code section
13 2305, in that the discipline imposed on Respondent's license to practice medicine in Oregon by
14 the Board of Medical Examiners for the State of Oregon would have been grounds for discipline
15 for unprofessional conduct against Respondent's license to practice medicine in California.

16 THIRD CAUSE FOR DISCIPLINE
17 (Sexual Relations with Patient)
[Bus. & Prof. Code Section 726]

18 14. Complainant re-alleges paragraph 11, above, and incorporates it by
19 reference as if fully set forth herein at this point.

20 15. In or about the period of time from August of 1999 to February of 2000,
21 Respondent engaged in sexual relations with patient "A", referenced above in paragraph 11, in
22 Cedarville, California, while she was Respondent's patient.

23 16. Respondent's conduct is subject to discipline within the meaning of
24 section 726 of the Code in that he had sexual relations with a patient.

25 PRAYER

26 WHEREFORE, Complainant requests that a hearing be held on the matters herein
27 alleged, and that following the hearing, the Division of Medical Quality issue a decision:

28 ///

1 1. Revoking or suspending Physician and Surgeon's Certificate Number G
2 42348, issued to Terence J. Parr, M.D.;

3 2. Revoking, suspending or denying approval of Terence J. Parr, M.D.'s
4 authority to supervise physician's assistants, pursuant to section 3527 of the Code;

5 3. Ordering Terence J. Parr, M.D. to pay the Division of Medical Quality the
6 reasonable costs of the investigation and enforcement of this case, and, if placed on probation,
7 the costs of probation monitoring;

8 4. Taking such other and further action as deemed necessary and proper.

9 DATED: October 23, 2002

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15 RON JOSEPH
16 Executive Director
17 Medical Board of California
18 Department of Consumer Affairs
19 State of California
20 Complainant

21 ***DOJ docket number***

22 type initials of preparer and date prepared
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